IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.2908 OF 2006

IN

FIRST APPEAL STAMP NO.11491 OF 2006

Shrikant Sajanrao Marathe & ors.: Petitioners

versus

Tukaram Haribhau Vidhare & ors. : Respondents.

Mr.M.B.Kotak for the petitioners.

CORAM : J.N.PATEL &

A.A.SAYED, JJ.

DATED : JULY 24, 2007.

P.C.

1. Affidavit of service has been filed by the petitioners/original claimants in respect of Respondent No.1/Org.Owner who has refused to accept the notice sent by Registered A.D. as per the postal endorsement. This is treated as proof of service on Respondent No.1. None appears for

Respondents. Heard learned counsel for the petitioners/original claimants. For the reasons stated in the application, delay is condoned. First Appeal be listed for admission in the next week. Civil Application is disposed of accordingly.

[A.A.SAYED,J] **[J.N.PATEL,J]**